

Practitioner's Docket No. _____

Optional Customer No. Bar Code



00140

PATENT TRADEMARK OFFICE

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PATENT
 JAN 27 2004
 TECH CENTER 1600/2900

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
 CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

(check one applicable item below)

☒ original.
☐ design.

NOTE: With the exception of a supplemental oath or declaration submitted in a petition, a supplemental oath or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance). M.P.P. Section 714.16, 7th ed.

☐ supplemental.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation in part application, do not check next item; check appropriate one of last three items

☐ national stage of PCT.

NOTE: If any of the following 3 items apply, then complete and also attach **ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P**.

NOTE: See 37 C.F.R. Section 1.61(d) (continued prosecution application for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or server of the inventors named in the prior application).

☐ divisional.
☐ continuation.

NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. Section 1.53(b) (application filing requirements-nonprovisional applications)

☐ continuation-in-part (C-I-P).

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INVENTORSHIP IDENTIFICATION

WARNING: *If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.*

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

THERAPEUTIC PROCESS FOR INHIBITING NF-K β

SPECIFICATION IDENTIFICATION

the specification of which:

[x] was filed on July 28, 1998, [] as Application No. 09/123,620

together with a preliminary amendment filed on the same day

NOTE: *Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. Section 1.67.*

NOTE: *The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:*

- (A) application number (consisting of the series code and the serial number, e.g., 08/123,456);
- (B) serial number and filing date;
- (C) attorney docket number which was on the specification as filed;
- (D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration as the title of execution and submitted with the oath or declaration; or
- (E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) intended by signing the oath or declaration.

37 C.F.R. § 601.01(a), 7th ed.

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☒ I hereby declare that the subject matter of the

☐ attached amendment
☒ amendment filed on July 28, 1998

was part of my/our invention and was invented before the filing date of the original application, above identified, for such invention.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56,

(also check the following items, if desired)

☒ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. Section 1.98.

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (35 U.S.C. Section 119(e))

NOTE: 35 U.S.C. 119(e)(1) requires that a nonprovisional application be filed within twelve months of the filing date of the provisional application for the nonprovisional application to claim the benefit of the filing date of the provisional application. Under 35 U.S.C. 21(b) and 119(e)(3), if this twelve-month period expires on a non-business day, it is extended to expire on the next business day.

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

U.S. # 60/054280

FILING DATE

07/30/97

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

JOSEPH H. HANDELMAN, 26179

JILLIAN H. COHEN, 20202

JOHN RICHARDS, 31053

WILLIAM R. EVANS 25858

(Declaration and Power of Attorney--page 3 of 8) 1-1

RICHARD J. STREIT, 29763

JANET I. CORD, 33778

PETER D. GALLOWAY, 27885

CLIFFORD J. MASS, 30086

RICHARD P. BERG, 28145

(Check the following item, if applicable)

- ☐ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

NOTE: "Special care should be taken in continuation or divisional applications to ensure that any change of correspondence address in a prior application is reflected in the continuation or divisional application. For example, where a copy of the oath or declaration from the prior application is submitted for a continuation or divisional application filed under 37 CFR 1.53(b) and the copy of the oath or declaration from the prior application designates an old correspondence address, the Office may not recognize, in the continuation or divisional application, the change of correspondence address made during the prosecution of the prior application. Applicant is required to identify the change of correspondence address in the continuation or divisional application to ensure that communications from the Office are mailed to the current correspondence address. 37 CFR 1.63(d)(4)." Section 601.03, M.P.E.P., 7th Ed

SEND CORRESPONDENCE TO**DIRECT TELEPHONE CALLS TO:***(Name and telephone number)*

**Ladas & Parry
26 West 61st Street
New York, N.Y. 10023**

(complete the following if applicable)

This is the filing of ☐ continuation ☐ divisional and there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

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NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

NOTE: Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship, 37 C.F.R. Section 1.63(a)(3).

NOTE: Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(1) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 67 Fed. Reg. 53,131, 13,162, October 10, 1997.

Full name of sole or first inventor

Howard ^L Elford
(Given Name) (Middle Initial or Name) Family (Or Last Name)

Inventor's signature

Howard L Elford

Date JANUARY 15, 2004

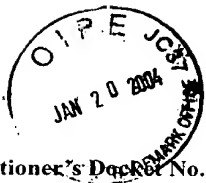
Country of Citizenship United States of America

Residence

Post Office Address c/o Molecules for Health Inc.

800 East Leigh Street Richmond, VA 23219

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Practitioner's Docket No. U 014935-9

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

[X] In re application of: HOWARD L. ELFORD
Application No.: 09/123,620 Group No.: 1623
Filed: July 28, 1998 Examiner: Kathleen Kahler Fonda
For: THERAPEUTIC PROCESS FOR INHIBITING NF- κ B

[] Patent No.*: Issued:

*NOTE: Insert name(s) of all inventor(s) and title also for patent.

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

POWER OF ATTORNEY BY INVENTOR(S)
(REVOCATION OF PRIOR POWERS)

NOTE: Submission of a Power of attorney after issuance of the Notice of Allowance in an application does **not** result in a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

As a named inventor for the above identified

[X] application,
[] patent,

REVOCATION OF PRIOR POWERS OF ATTORNEY

I hereby revoke all powers of attorney previously given and

NEW POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute and transact all business in the Patent and Trademark Office connected therewith.

(list name(s) and registration number(s))

JOSEPH H. HANDELMAN, 26179
JOHN RICHARDS, 31053
RICHARD J. STREIT, 25765
PETER D. GALLOWAY, 27885
RICHARD P. BERG, 28145

JULIAN H. COHEN, 20302
WILLIAM R. EVANS, 25858
JANET I. CORD, 33778
CLIFFORD J. MASS, 30086

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

Ladas & Parry
26 West 61st Street
New York, N.Y. 10023

JOHN RICHARDS
(212) 708-1915

Optional Customer No. Bar Code



00140

PATENT TRADEMARK OFFICE

Date: (X) DECEMBER 18, 2003

HOWARD L. ELFORD

(type or print inventor's name)

(X) Howard L. Elford

Inventor's signature

c/o Molecules for Health Inc.

800 East Leigh Street, Suite 206-7

Post Office Address

Richmond, VA 23219

Date: _____

(type or print inventor's name)

Inventor's signature

Post Office Address

Date: _____

(type or print inventor's name)

Inventor's signature

Post Office Address

NOTE: A power of attorney may be revoked at any stage in the prosecution of a case.

Added page(s) forming a part of this power of attorney

☐ Added page(s) for signature(s) by additional inventors

(supply similar information and signature for fourth and subsequent inventors)

☐ Added page—Authorization of attorney(s) to accept and follow instructions from representative